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Republic Services, Inc.*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

ROBERT ALLEN, GERALD DAVIS,
MAURICE JOHNSON, DEXTER
LOCKHART, FLOYD HUNT, TY-YIVRI
GLOVER, REGINALD RUSSELL,
GARY GATES, STEPHONE REVELS,
THERON JONES,

Plaintiffs,

v.

REPUBLIC SILVER STATE DISPOSAL,
INC., AND DOES I-X AND ROES I-X,

Defendant.

Case No. 2:10-CV-00827-JCM-LRL

**MOTION FOR AN ORDER PERMITTING
DEFENDANT REPUBLIC TO PROCEED
WITH DISCOVERY RELATING TO
PLAINTIFFS ROBERT ALLEN,
REGINALD RUSSELL AND GARY
GATES' CLAIMS**

Defendant Republic Silver State Disposal Inc., ("Republic"), by and through its counsel of record, moves the Court for an Order Permitting Republic To Proceed with Discovery Relating to Plaintiffs Robert Allen, Reginald Russell, and Gary Gates' Claims.

1 This Motion is based upon the attached Memorandum of Points and Authorities, all
2 pleadings and documents on file with the Court, and any argument that the Court deems proper.

3 Dated this 11th day of March, 2011.

4 JACKSON LEWIS LLP

5
6 /s/ Lisa A. McClane
7 Elayna J. Youchah, Bar No. 5837
8 Lisa A. McClane, Bar No. 10139
9 3960 Howard Hughes Parkway
10 Suite 450
11 Las Vegas, Nevada 89169

12 *Attorneys for Defendant*

13 **MEMORANDUM OF POINTS AND AUTHORITIES**

14 On January 5, 2011, the Court granted Callister + Associates' Motion to Withdraw as
15 Counsel of Record for the Plaintiffs. *See* Docket #26. The Court further ordered that the
16 Plaintiffs had until February 18, 2011 to retain new counsel and file a notice of appearance or a
17 status report explaining why they had not retained new counsel. *Id.* The Court also stayed
18 proceedings in this matter pending further order of the Court. *Id.*

19 On February 15, 2011, Plaintiffs Gary Gates, Reginald Russell and Robert Allen filed
20 Status Reports with the Court indicating that they could not afford to retain a new attorney and
21 that they wanted to proceed pro se. *See* Docket #28-30.
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1 Since Plaintiffs Gates, Russell and Allen have indicated their intent to proceed in this
2 matter pro se, Republic respectfully requests that the Court issue an Order permitting discovery
3 relating to Plaintiff Gary Gates, Reginald Russell and Robert Allen's claims. With such an order
4 Republic will then pursue a new discovery plan directly with Plaintiffs.

5 Dated this 11th day of March, 2011.

6 JACKSON LEWIS LLP

7
8 /s/ Lisa A. McClane

9 Elayna J. Youchah, Bar No. 5837
10 Lisa A. McClane, Bar No. 10139
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12 *Attorneys for Defendant*

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14 **IT IS SO ORDERED.**

15 

16 **UNITED STATES MAGISTRATE JUDGE**
17 **DATED: 3-15-11**

CERTIFICATE OF SERVICE

Pursuant to Special Order #109, counsel of record registered for the CM/ECF system have been served with the foregoing **MOTION FOR AN ORDER PERMITTING DEFENDANT REPUBLIC TO PROCEED WITH DISCOVERY RELATING TO PLAINTIFFS ROBERT ALLEN, REGINALD RUSSELL AND GARY GATES' CLAIMS** by electronic means. In addition, pursuant to Fed. R. Civ. P. 5(b), I hereby certify that the service of the same was made this 11th day of March, 2011, by depositing a true copy of the same for mailing at Las Vegas, Nevada, addressed to:

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/s/ Emily Santiago
Employee of Jackson Lewis, LLP